

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

ELECTION/RESTRICTION REQUIREMENT(S) –TRAVERSAL WITHDRAWN

Applicant respectfully withdraws any and all traversals of any and all prior election/restriction requirement(s).

PENDING CLAIMS

Claims 1-6, 8-17, 19, 21 and 23-25 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is presently interested. At entry of this paper, Claims 3-4, 6, 8-9, 11-17, 21 and 24-25 will be pending for further consideration and examination in the application.

REWRITTEN ALLOWABLE CLAIM(S)

Claims 5-6, 8, 10 and 14 have been indicated as being allowable if rewritten, as indicated within the "Allowable Subject Matter" section on page 6 of the Office Action. Features/limitations of the allowable dependent claims 5 and 10 have been incorporated into the independent claim(s) 3 and 9, respectively, thereby rendering the rewritten independent claim(s) 3 and 9 and any claims dependent therefrom

allowable, i.e., all of presently-pending claims 3-4, 6, 8-9, 11-17, 21 and 24-25 should be allowable as presently rewritten. In view of the incorporation of the features/limitations of claims 5 and 10 into the independent claims, such allowable dependent claims have been canceled (without prejudice or disclaimer) to avoid redundant claims. Reconsideration and renewal of the allowance are respectfully requested. Applicant and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

35 USC '103 REJECTION – OBVIATED BY CLAIM CANCELLATION

The 35 USC '103 rejection of claims 3, 4, 9, 11-13, 15-17, 21, 24 and 25 as being unpatentable over Shimabara (U.S. Patent Pub 2003/0023374) in view of Matsuoka et al. (U.S. Patent Pub 2001/0028350) is respectfully traversed, but the present cancellation of such claims (without prejudice or disclaimer) to obtain a patent (without prejudice or disclaimer) on ones of the allowable claims as quickly as possible, has rendered such rejection(s) obsolete, and thus gratuitous traversal arguments concerning the rejection(s) are omitted for brevity. Further discussions/arguments concerning such rejection(s) are left for the future if/when appropriate. Based upon the following, reconsideration and withdrawal of such rejection(s) are respectfully requested.

The above statements, or any present amendment or cancellation of claims (without prejudice or disclaimer), should not be taken as an indication or admission that the rejection was valid, or as a disclaimer of any scope or subject matter, but is merely use of a procedural approach to obtain a patent (without prejudice or disclaimer) on ones of the allowable claims as quickly as possible.

ALL CLAIMS IN CONDITION FOR ALLOWANCE

In view of the fact that all non-elected/withdrawn claims have now been canceled without prejudice or disclaimer, and in view of the fact that all remaining claims have either been rewritten into independent or dependent form to include the features/limitations indicated as being allowable, it is respectfully submitted that all presently pending claims are now in condition for allowance. A Notice of Allowance with respect to the present application is respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to

any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.43576X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

/Paul J. Skwierawski/
Paul J. Skwierawski
Registration No. 32,173

PJS/slk
(703) 312-6600